

State of Florida



# Public Service Commission

CAPITAL CIRCLE OFFICE CENTER • 2540 SHUMARD OAK BOULEVARD  
TALLAHASSEE, FLORIDA 32399-0850

**-M-E-M-O-R-A-N-D-U-M-**

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**DATE:** September 11, 2009  
**TO:** Ann Cole, Commission Clerk – PSC, Office of Commission Clerk  
**FROM:** Toni J. McCoy-Earnhart, Regulatory Analyst II, Division of Regulatory Compliance  
**RE:** Docket No. 090440-TX and 090413-TI; Rosebud Telephone, LLC

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Please add to the above docket files, the attached correspondence and additional company information.

Call 413-6532, if you have any questions.

Attachments

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09 SEP 15 AM 9:14  
COMMISSION  
CLERK

DOCUMENT NUMBER-DATE  
09533 SEP 15 8  
FPSC-COMMISSION CLERK

**Toni Earnhart**


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**From:** Mark Foster [mark@mfoosterlaw.com]  
**Sent:** Thursday, September 10, 2009 3:55 PM  
**To:** Toni Earnhart  
**Subject:** Florida Docket Nos. 090440-TX & 090413-TI- Rosebud Telephone, LLC  
**Attachments:** Articles of Org RT LLC.pdf; Revised Attachment 1.pdf

Dear Toni:

Attached please find a revised Attachment 1 including the requested information for Mrs. Becker. Also attached are the Articles of Organization. Let me know if either of these attachments should be filed with the Commission's clerk. We have made the change regarding the effective date on our copy of the tariff as you suggested.

Thanks for your assistance in this matter.

Regards,  
 Mark

**Mark Foster**  
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**From:** Toni Earnhart [mailto:TEarnhar@PSC.STATE.FL.US]  
**Sent:** Wednesday, September 09, 2009 3:52 PM  
**To:** mark@mfoosterlaw.com  
**Subject:** Florida Docket Nos. 090440-TX & 090413-TI- Rosebud Telephone, LLC  
**Importance:** High

Hi Mark,

I am the analyst reviewing the Florida CLEC and IXC filings for the above company. I believe we may have spoken on the phone a few weeks back.

I noticed the Florida LLC lists an Edna Becker as a Managing Partner but does not list any of the other Officers of the Texas based company.

9/10/2009

DOCUMENT NUMBER-DATE

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Mary Ann Mitchell or H. Gregory Taylor are mentioned in the FL CLEC application resumes as co-founders and VP's, but Edna Becker is not listed at all.

I tried researching the Texas Corporations data base and the FAQs state that company ownership information is maintained with the Company and not kept for the public record by the state of Texas. Can you supply the LLC's articles of incorporation from Texas?

Florida requires Owner/Officer resume information as part of its CLEC application process and resumes on Managing Partners fall into that as well.

Can you please email a resume for Edna Becker or a paragraph similar to Mitchell and Taylor's. If there are other Owners/Officers or Managing Partners the same information request applies to them.

The IXC tariff has a typed effective date of August 25, 2009. Please delete the effective date on your copy, staff date stamps the tariff upon the IXC's acknowledgement. Technically, when the process is complete, Rosebud will be posthumously effective upon its filing date. (8/19/09) I will white-out the effective date on my copies, there is no need to email me another tariff.

If you have any questions, please contact me.

Toni Joy McCoy-Earnhart  
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Florida Public Service Commission  
Division of Regulatory Compliance  
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Tallahassee, Florida 32399-0850  
[TEARNHAR@PSC.STATE.FL.US](mailto:TEARNHAR@PSC.STATE.FL.US)  
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850/413-6533 Fax Line

## **ATTACHMENT 1**

### **Managerial Capability and Technical Capability**

Applicant Rosebud Telephone, LLC has provided telecommunications services to residential and business clientele in Texas continuously since 1999. Applicant currently provides local exchange services to over 6,000 lines in Texas. Applicant currently employs two officers who have been responsible for all daily and long term operations of the company since 2004. Their brief biographies follow below.

Applicant has provided and intends to continue providing local exchange services via the wholesale acquisition of facilities-based local exchange company networks rather than constructing new network facilities. In that capacity, operation and maintenance of the underlying network is cared for through Applicant's contractual agreements with such facilities-based local exchange carriers and performed by employees and contractors of those facilities-based carriers, such as ATT and Verizon. Applicant's technical capability is therefore augmented by such carriers' personnel, in addition to that which is set forth below.

#### **Edna Becker, President**

Edna Becker, retired, has over 50 year experience in business ranging from nursing to real estate management, regional and marketing concerns, and stockholder of multiple independent banks. She has served as Secretary/Treasurer of various businesses she co-owned with her husband, Fred Becker. Mrs. Becker holds the title of President as an honor to the memory of her husband, Fred Becker, deceased, who was the original President of Rosebud Telephone, LLC. Management of Rosebud Telephone, LLC is primarily carried out by its two Vice Presidents, Mary Ann Mitchell and Gregory Taylor.

#### **Mary Ann Mitchell, Vice President**

Mary Ann Mitchell is a co-founder and Vice President of Rosebud Telephone, LLC

Rosebud Telephone, LLC was launched in 1999 with an emphasis on providing high quality and cost efficient telecommunications products and services to small business subscribers, in particular pay telephone operators.

Mary Ann Mitchell has served in an executive capacity for successful competitive telecommunications providers for over 16 years. During this time she oversaw the business and technical operations for providers of telephone equipment, long distance services, and local services. Her direct responsibilities have included oversight of Administration, Operations, Finance, Accounts Receivable, and Billing and Collection services. She has supervised wholesale contract administration and interconnection agreements, and has participated in every level of strategic planning associated with her employers over the past 16 years. Mary Ann's employers have experienced strong growth and profitability during her tenure, including at her most recent post with Rosebud Telephone, LLC, which currently serves over 7,000 lines throughout the state of Texas with local dial tone and long distance services. Mary Ann came to Rosebud in 1993 and today is a shareholder and serves as Vice President.

Prior to entering telecommunications in 1993, Mary Ann had a successful 26 year career in commercial banking, where she served in an executive capacity, and in progressively responsible positions within health care administration.

#### **H. Gregory Taylor, Vice President**

Greg Taylor is a co-founder and Vice President of Rosebud Telephone, LLC.

Rosebud Telephone, LLC was launched in 1999 with an emphasis on providing high quality and cost efficient telecommunications products and services to small business subscribers, in particular pay telephone operators.

Mr. Taylor serves today as Vice President of Rosebud Telephone, and has been in this position since 2004. Mr. Taylor has extensive experience in the telecommunications industry, including owning and operating a pay telephone network throughout Texas, and serving in an executive capacity with Rosebud Telephone, LLC from 2004 to today. Mr. Taylor joined Rosebud in 2004 and promptly transformed it into a successful competitive local exchange carrier. Mr. Taylor has executive responsibility for Sales, Marketing, Operations and Strategic Planning for Rosebud, and remains instrumental in planning and executing the Company expansion strategy.

Greg has negotiated wholesale carrier agreements on behalf of Rosebud Telephone, LLC with its underlying local and long distance providers. He fulfills the role of customer advocated internally, having maintained in close communication with the company's major clients. He is also a recognized industry expert, having served for several years as Board Member and President of the Texas Payphone Association.

Prior to joining Rosebud in 2004, Greg owned and operated a private pay telephone network throughout Texas from 1992 until 2004. This company expanded beyond private pay telephones to provide and maintain other end user premise equipment including automated banking machines and transaction processing equipment. Prior to this, Greg served as Vice President of Service Operations then Vice President over all Operations for a major engineered pump manufacturer in Texas beginning in 1982.



**Office of the Secretary of State**

**CERTIFICATE OF ORGANIZATION  
OF**

**Rosebud Telephone, LLC**  
Filing Number: 800002704

The undersigned, as Secretary of State of Texas, hereby certifies that Articles of Organization for the above named company have been received in this office and have been found to conform to law.

ACCORDINGLY, the undersigned, as Secretary of State, and by virtue of the authority vested in the Secretary by law, hereby issues this Certificate of Organization.

Issuance of this Certificate of Organization does not authorize the use of a name in this state in violation of the rights of another under the federal Trademark Act of 1946, the Texas trademark law, the Assumed Business or Professional Name Act, or the common law.

Dated: 08/17/2001

Effective: 08/17/2001



A handwritten signature in cursive script, appearing to read "Henry Cuellar", written over a horizontal line.

Henry Cuellar  
Secretary of State

**COPY**  
FILED

In the Office of the  
Secretary of State of Texas

**ARTICLES OF ORGANIZATION OF ROSEBUD TELEPHONE, LLC**

AUG 17 2001

**ARTICLE 1**

The name of the limited liability company, referred to in these Articles as the **Corporations Section**  
Rosebud Telephone, LLC. Company, is

**ARTICLE 2**

The period of duration of the Company is perpetual.

**ARTICLE 3**

The purpose for which the Company is organized is to transact any or all lawful business for which limited liability companies may be organized under the Texas Limited Liability Company Act.

**ARTICLE 4**

The address of the Company's initial registered office is 1403 West Sixth Street, Austin, Texas 78703. The Company's initial registered agent at that address is Mark Foster.

**ARTICLE 5**

The Company will have one manager. The name and address of the initial manager is:

Fred Becker, P. O. Box 597, Rosebud, Texas 76570

**ARTICLE 6**

The Company's organizer is:


Mark Foster, Foster & Malish, L.L.P., 1403 West Sixth Street, Austin, Texas 78703

**ARTICLE 7**

The power to adopt, alter, amend, or repeal the regulations of the Company, including the initial regulations, is vested entirely in the manager listed in Article 5.

ARTICLE 8

IN WITNESS WHEREOF, the undersigned has executed these Articles of Organization on behalf of the Company on this the 17<sup>th</sup> day of August, 2001.

By:   
Mark Foster  
1403 West Sixth Street  
Austin, Texas 78703